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Patent

Attorney's Docket No. 1033963-000014

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
Michael Stewart Griffith et al.	)	Group Art Unit: 2872
Application No.: 10/520,425	)	Examiner: Mark A. Robinson
Filed: January 7, 2005	)	Confirmation No.: 5697
For: IMPROVEMENTS RELATING TO	)	
DEFORMABLE MIRROR HOLDERS	)	
	)	
	)	
	)	

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In an Official Action dated June 16, 2006, the Examiner has indicated that an election of one of the following inventions is required under 35 U.S.C. § 121:

- Species a: The device as shown in Fig. 4;
- Species b: The device as shown in Fig. 8;
- Species c: The device as shown in Fig. 10;
- Species d: The device as shown in Fig. 11;
- Species e: The device as shown in Fig. 12;
- Species f: The device as shown in Fig. 14;
- Species g: The device as shown in Fig. 18;
- Species h: The device as shown in Fig. 19;
- Species i: The device as shown in Fig. 20; and
- Species j: The device as shown in Fig. 21.

Accordingly, Applicants provisionally elect Species d, the subject matter encompassed by Figure 11, with traverse. Presently, claims 1, 2, 4, 5, 6, 8-15 and 25 read on the elected species as well as various non-elected species. At least claims 1 and 25 are generic.

Applicants submit that the requirement for an election is in error because there would be no undue burden in examining any non-elected species with the elected species. In addition, because various claims are generic to the species identified by the Examiner, and because these claims are considered to be allowable, it is respectfully submitted that the election requirement is in error. Further, upon allowance of a generic claim, Applicants are entitled to claims directed to a reasonable number of species. It is respectfully submitted that the non-elected species identified by the Examiner constitute a reasonable number.

Further, the election requirement is traversed because it will not reduce the workload of the U.S. Patent and Trademark Office or simplify prosecution of the application.

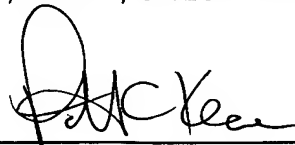
Accordingly, reconsideration and withdrawal of the aforementioned species election is respectfully requested. The provisional election is hereby made without prejudice to Applicants' right to file a divisional application or applications should the election requirement becomes final.

Respectfully submitted,

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Date: September 5, 2006

By: \_\_\_\_\_



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